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JUN 15 2007ATTORNEY DOCKET NO.  
020533.0197 (2001P20554US)PATENT APP. SERIAL NO.  
09/712,017**REMARKS**

Claims 5, 31, 68, 85 have been amended. No claims have been canceled or added by way of this response. Thus claims 5-11, 16-18, 21-26, 31-33, 35-41, 61, 68, 69, and 71-79, 83-89 are pending in the application. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

**Response to Rejections Under Section 112:**

Claims 1, 83-84 stand rejected under 35 U.S.C Section 112. The Examiner contending that these claims contain subject matter which was not described in the specification is such a way as to enable one skilled in the art. Applicants' response is based on the belief that the Examiner meant to refer to claim 5 instead of claim 1, which has been canceled. Based on the following, Applicants' respectfully request that the Examiner withdraw the Section 112 rejections.

**Claim 5:**

The Examiner contends that the specification does not enable one of ordinary skill in the art to "configure a computer with a first and a second protocol at the same time". However, the specification does support this limitation. For example, page 25 lines 3-7 recites that the search may be "one protocol at a time" and page 13 lines 9-11 recites that the customer premises equipment may be provided "automated assistance in configuration with at least on of the identified protocols".

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09/712,017Claim 83 and 84:

The Examiner contends that the specification does not enable one of ordinary skill in the art to "not utilize a lookup table to find the first and second valid protocols". Support for this limitation may be found, for example, on page 5 lines 17 – 20.

Response to Rejections Under Section 103:

Claims 5-11, 16-18, 21-25, 26, 31-33, 25-41, 61, 68, 69, 71-79, and 85 stand rejected under 35 U.S.C § 103(1), the Examiner contending these claims are obvious over Romohr (USPN 5,596,723) in view of Vellanki et al. (USPN 5, 999,979).

The Examiner apparently interprets Romohrs' frame type as Applicants' valid virtual circuit and interprets Romohrs' operating system as Applicants' valid protocol. Applicants respectfully submit that a frame type cannot be reasonably considered a virtual circuit and an operating system cannot be reasonably considered a protocol (see e.g. Brook declaration).

Applicants claim 5 recites,  
the CPE is *configured with* the first valid protocol, *the first valid channel*, the second valid protocol, and *the second valid channel*.

Neither Romohr or Vellanki teach or suggest the CPE is configured with a valid channel let alone a first or second valid channel. Thus, claim 5 and claims 6-11, 16-18, 83, 87 depending therefrom are believed to be in condition for allowance.

Applicants claim 21 recites *configuration of the valid virtual channel*. For the reasons above, claim 21 and claims 22-26, and 88 depending therefrom are believed to be in condition for allowance.

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Applicants claim 31 recites *configuring ... with the valid virtual channels*. For the reasons above, claim 31 and claims 32, 33, 45-41, and 84-86 depending therefrom are believed to be in condition for allowance.

Applicants claim 61 recites *configuration the valid virtual channel*. For the reasons above, claim 61 and claims 89 depending therefrom are believed to be in condition for allowance.

Applicants claim 68 recites *configuring ... with the plurality of valid virtual channels*. For the reasons above, claim 68 and claims 69, 71-79 depending therefrom are believed to be in condition for allowance.

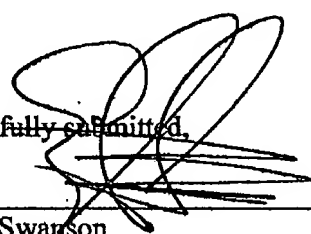
Furthermore, the Examiner apparently interprets Romohrs' frame type as Applicants' valid virtual circuit and interprets Romohrs' operating system as Applicants' valid protocol. Applicants respectfully submit that a frame type cannot be reasonably considered a virtual circuit and an operating system cannot be reasonably considered a protocol (see e.g. Brook declaration).

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For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, Applicants respectfully request that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to char any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Dated: 6/15/07

Respectfully submitted,

  
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